

JOURNAL OF THE SENATE

THURSDAY, APRIL 11, 1929

The Senate convened at 11 o'clock A. M., pursuant to adjournment on Wednesday, April 10, 1929.

The roll was called and the following Senators answered to their names:

Mr. President Senators Adams, Anderson, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

A quorum present.

Prayer by Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 10, 1929, was corrected and as corrected was approved.

Mr. Bell was excused from attendance on the session on motion of Mr. Hodges.

REPORTS OF COMMITTEES

Mr. Purl G. Adams, of First District, Chairman of the Committee on Privileges and Elections, submitted the following report:

Senate Chamber
Tallahassee, Fla., April 11, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Privileges and Elections, to whom was referred:

House Bill No. 1:

A bill to be entitled An Act to amend Sections 78 and 79. Revised General Statutes of Florida, 1920, being Sections 94 and 95 Compiled General Laws of Florida 1927, Relating to the Publication of Notice of Intention to Pass Special or Local Laws and Proof of Publication of Such Notice.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,
PURL G. ADAMS,
Chairman of Committee.

And House Bill No. 1, contained in the above report, was placed on the Calendar of Bills on second reading.

Mr. Putnam, of 28th District, Chairman of the Committee on Agriculture and Live Stock, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 10, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Agriculture and Live Stock, to whom was referred:

Senate Bill No. 59:

A bill to be entitled An Act as to the admission as evidence in courts of this State of certificates issued under authority of the Congress of the United States of certified copies thereof, relating to the Grade, Classification, Quality or Condition of Agricultural Products.

Have had the same under consideration, and recommend that the same do pass.

Committee vote was as follows:

Yeas—Seven.

Nays—None.

Very respectfully,
H. G. PUTNAM,
Chairman of Committee.

And Senate Bill No. 59, contained in the above report, was placed on the Calendar of Bills on second reading.

Mr. Putnam, of 28th District, Chairman of the Committee on Agriculture and Live Stock, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 10th, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Agriculture and Live Stock, to whom was referred:

Senate Bill No. 43:

A bill to be entitled "An Act to Amend Sections 6949 and 6954 of the Compiled General Laws of Florida of 1927, Relating to the Division of Counties into Cattle Districts; Appointment and Term of Office of Inspectors and Prescribing Oath of Said Inspectors."

Have had the same under consideration, and recommend that the following amendments to the Bill be adopted, to-wit:

In Section 1, line 8, strike out the word "Ten" and insert in lieu thereof the following: "Twenty-five."

Also, strike out the figures "6954" in the title and body of the Bill and insert in lieu thereof the following: "6950."

And recommend that the same do pass, with committee amendments.

Very respectfully,

H. G. PUTNAM,
Chairman of Committee.

And Senate Bill No. 43, with the committee amendments, contained in the above report, was placed on the Calendar of Bills on Second reading.

INTRODUCTION OF RESOLUTIONS

By Senator McCall—

Senate Concurrent Resolution No. 6:

WHEREAS, The Board of Commissioners of State Institutions has entered into a contract with T. J. Appleyard, Inc., for the printing of Legislature Journals, Calendars and bills, at a price much more favorable to the State than heretofore:

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of Florida (the House of Representatives concurring) that the Legislature hereby confirms and approves the printing of such daily Journals and Calendars on pages 9 x 12 inches, set in 8 point solid, type page 45 x 60 picas, at the price named in the bid of T. J. Appleyard, Inc., to-wit: \$13.09 per page for order of 300 copies daily, and 12 cents per page for each additional 50 copies; \$13.44 per page for order of 500 copies and 22 cents per page for each additional 100 copies; \$14.32 per page for order of 1000 copies, 80 cents per page for each additional 500 copies; also daily Calendars in same size type, type page and page as Journals at the price of \$3.75 per page for order of 300 copies, 9 cents per page for each additional 50 copies; \$4.08 per page for order of 500 copies, 17 cents per page for each additional 100 copies; \$4.93 per page for order of 1000 copies, 80 cents per page for each additional 500 copies.

In the printing of bills for either branch of the Legislature, it is hereby ordered that such bills be printed in pamphlet form approximately 22 ems pica in width and 40 ems pica in depth, leaded with pica reglets between each line, set in 10 point, price per page 85 cents for 200 copies and 5 cents per page for each additional 50 copies in accordance with said bid and contract.

It is further ordered that the title page and list of officers and attaches be omitted from future issues of Senate and House Calendars.

Which was read.

Mr. McCall moved that the rules be waived and Senate Concurrent Resolution No. 6 be read a second time.

Which was agreed to by a two-thirds vote.

Senate Concurrent Resolution No. 6 was read a second time.

Mr. McCall moved the adoption of the Resolution.

Which was agreed to and the Resolution was adopted.

And the same was ordered to be certified to the House of Representatives.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator King—

Senate Bill No. 98:

A bill to be entitled An Act to Abolish the Municipality of Orlo Vista, in Orange County, Florida, and to repeal Chapter 13190 of the Special Acts of the Legislature for the year 1927, "An Act to Create and Establish the City of Orlo Vista in Orange County, Florida; to Provide for its Government to Designate Its Mayor and Council, Provide for Their Successors in Office, and to Prescribe Their Duties and Powers; to Provide for the Levy of Taxes and the Issuance of Bonds; and to Define the Boundaries, Jurisdictions, Franchises, Powers.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Senator Gary—
Senate Bill No. 99:

A bill to be entitled An Act to authorize registration and voting by mail for citizens of the State of Florida, having their official residence in the District of Columbia, and employed in the office of Florida's representatives in the United States Senate and House of Representatives.

Which was read the first time by its title and referred to the Committee on Privileges and Elections.

By Senator Adams—
Senate Bill No. 100:

A bill to be entitled An Act for the continuance of any and all cases, civil, criminal, chancery, probate, or any other kind whatsoever, which may be for hearing on default final or interlocutory, or trial, before any judge or court of the State of Florida, on a date during any session of the Florida Legislature, wherein any Senator or Member of the House of Representatives of the Florida Legislature is interested, or connected with as attorney or party, to a date or term subsequent to the adjournment of the said session of the Florida Legislature.

Which was read the first time by its title.

Senator Adams moved to waive the rule and that Senate Bill No. 100 be read the second time in full.

Which was agreed to by a two-thirds vote, and Senate Bill No. 100 was read the second time in full.

Senator Adams moved that the rule be further waived, and that Senate Bill No. 100 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100 was read the third time in full.

Upon the passage of the Bill, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Caro, Dell, Glynn, Harrison, Hodges, Johns, King, Knabb, McCall, Mitchell, Neel, Phillips, Rowe, Singletary, Stewart, Swearingen, Turnbull, Wagg, Watson, Waybright, Welsh, Whitaker, Young—25.

Nays—Senators Anderson, Futch, Gary, Hinely, Howell, Irby, Putnam, Taylor, Turner—9.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Senator Adams—
Senate Bill No. 101:

A bill to be entitled An Act to make it unlawful for any person, firm or corporation to sell, or in any other manner, by gift or otherwise, dispose of any beef, mutton, pork, or any other green meat whatsoever, from or in any market, grocery, or any business establishment whatsoever, unless the said beef, mutton, pork, or other kind of green meats have been kept after having been received by the said person, firm or corporation, and cut and carved into retail merchantable meat within the enclosure of a fly-proof screened apartment.

Which was read the first time by its title and referred to the Committee on Public Health.

By Senator Adams—
Senate Bill No. 102:

A bill to be entitled An Act to Repeal Sections 3977, 3978, 3979, 3980, 3981, 3982, 3983, 3984, 3985 and 3986 of the Compiled General Laws of Florida, 1927, relating to Title to Motor Vehicles.

Was taken up and by permission, was withdrawn.

By Senator Malone—
Senate Bill No. 103:

A bill to be entitled An Act to regulate the practice of Land Surveying, granting further powers to and prescribing further duties of, the existing Board of Engineering Examiners; providing for the examination and registration of Land Surveyors; and providing penalties for the violation of this Act.

Which was read the first time by its title and referred to the Committee on Judiciary "B."

By Senator Phillips—
Senate Bill No. 104:

A bill to be entitled An Act to dedicate and set aside certain land owned by the City of Lake City, Florida, lying on the west side of State Highway No. 2 in Columbia County, Florida, for park and beautification purposes.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Senator Stewart—
Senate Bill No. 105:

A bill to be entitled An Act to repeal Section 3365 of the Re-

vised General Statutes of Florida, 1920, the same being Section 5218 of the Compiled General Laws of Florida, 1927, being an Act regulating the jurisdiction of the Justice of Peace in counties where there is a County Court.

Which was read the first time by its title only.

Senator Stewart moved to waive the rule and that Senate Bill No. 105 be read the second time, by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 105 was read the second time, by its title only.

Senator Stewart moved that the rule be further waived, and that Senate Bill No. 105 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 105 was read the third time in full.

Upon the passage of the bill, the roll was called and the vote was:

Yeas—Mr. President, Senators Adams, Anderson, Caro, Council, Dell, Gary, Glynn, Harrison, Howell, Irby, Johns, King, Knabb, Neel, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Watson, Waybright, Whitaker, Young—28.

Nays—Welsh—1.

So the Bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By Senator Johns—
Senate Bill No. 106:

A bill to be entitled An Act declaring and making the road leading from the intersection of State Road No. 48 and State Road No. 13 in Starke, Bradford County, Florida, to the Stockade of the State Farm, and thence to State Road No. 49 at a point near the Town of Raiford, Union County, Florida, now designated as public road, a State highway, providing for the construction of same by the State of Florida and making an appropriation therefor.

Which was read the first time by its title and referred to the Committee on Roads and Highways.

By Senator Knabb—
Senate Bill No. 107:

A bill to be entitled An Act placing a certain portion of Road Number Forty-nine on the preferred list.

Which was read the first time by its title and referred to the Committee on Roads and Highways.

By Senator Waybright—
Senate Bill No. 108:

A bill to be entitled An Act to create a Florida State Commission for the blind, to prepare a register of those adult blind persons living in the State in which is shown their condition, cause of blindness, and capacity for education and industrial training; to set up a bureau of information and industrial aid for the blind; to assist other agencies in developing Home Industries; to aid in furnishing books, materials, and tools for rehabilitation for the blind; to devise other means of helping them; to adopt such measures as may be deemed expedient for the prevention and cure of blindness; to provide for an annual report on the activities of the State Commission for the Blind in connection therewith; and to make an appropriation for carrying out the provisions of the Act.

Which was read the first time by its title and referred to the Committee on Education.

By Senator Futch—
Senate Bill No. 109:

A bill to be entitled An Act to repeal Chapter 8578, Laws of Florida, Acts of 1921, entitled "An Act Creating a Commission to be known as 'The Florida State Commission for Securing the Construction of the Atlantic, Gulf, and Mississippi Canal'"; and providing for the disposition of any and all property in the hands of said Commission which has been secured by the expenditure of moneys appropriated from the Treasury of the State of Florida.

Which was read the first time by its title and referred to the Committee on Drainage.

By Senator Harrison—
Senate Bill No. 110:

A bill to be entitled An Act authorizing and empowering Drainage Districts of the State of Florida to issue Bonds and do all other acts necessary or prerequisite to securing loans from the Secretary of the Interior of the United States.

Which was read the first time by its title and referred to the Committee on Drainage.

By Senator Harrison—
Senate Bill No. 111:

A bill to be entitled An Act granting a pension to Mrs. Belle R. Cecil, Manatee County, Florida.

Which was read the first time by its title and referred to the Committee on Pensions.

By Senator Waybright—
Senate Bill No. 112:

A bill to be entitled An Act creating the office of Director of Finance to the State Board of Education; providing for the installation of a system of budgeting, accounting and auditing in the offices of the County School Boards; and prescribing penalties for County School Officials who fail to install said system.

Which was read the first time by its title and referred to the Committee on Education.

By Senator King—
Senate Bill No. 113:

A bill to be entitled An Act to simplify the procedure of transferring certificates of title of motor vehicles after the sale or transfer of such motor vehicle.

Which was read the first time by its title and referred to the Committee on Roads and Highways.

By Senator Waybright—
Senate Bill No. 114:

A bill to be entitled An Act creating the office of Director of Buildings and Building Standards to the State Board of Education and regulating the construction of new buildings and the remodeling of old buildings to be used for educational purposes, and making provision for the enforcement thereof.

Which was read the first time by its title and referred to the Committee on Education.

By Senator King—
Senate Bill No. 115:

A bill to be entitled An Act to amend Section 64 and 68 of the Revised General Statutes of Florida, being Sections 80 and 84 of the Compiled General Laws of Florida, 1927, so as to provide for a Fifth Congressional District in the event Congress shall be re-apportioned so as to allow the State of Florida one extra member of Congress.

Which was read the first time by its title and referred to the Committee on Judiciary. "C."

By Senator Waybright—
Senate Joint Resolution No. 116:

A Joint Resolution Providing An Amendment of Section 1, of Article XII, of the Constitution of the State of Florida, Relating to Education.

Which was read the first time by its title and referred to the Committee on Constitutional Amendments.

By Senator Stewart—
Senate Bill No. 117:

A bill to be entitled An Act to amend Chapter 5995 of the Revised General Statutes of Florida of 1920, being an Act to regulate and prescribe the criminal jurisdiction of Justices of the Peace, and to repeal Section 5996 of the Revised General Statutes of Florida of 1920.

Which was read the first time by its title and referred to the Committee on Judiciary "A."

By Senator Harrison—
Senate Bill No. 118:

A bill to be entitled An Act to amend Section Sixteen Ninety-two (1692), Section Seventeen Naught Four (1704) and Section Seventeen Naught Five (1705) of the Revised General Statutes of the State of Florida for Nineteen Hundred Twenty (1920), relating to Ferries, Toll Bridges, Dams and Log Ditches, and providing for the operation of Ferries, Toll Bridges, Dams and Log Ditches thereunder.

Which was read the first time by its title and referred to the Committee on Public Utilities.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., April 11, 1929

Hon. J. J. Parrish,
President of the Senate.

Sir:
I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 112:

A bill to be entitled An Act providing that all county tax collectors in the State of Florida shall keep the tax books open for the collection of taxes until June 1, 1929.

Also—

House Bill No. 99:

A bill to be entitled An Act providing a pension for the members of the fire department of the City of St. Augustine, who shall become permanently incapacitated to perform their duties in said department, or who have served for a number of years; and for other relief, and for relief of certain persons dependent upon them for support and providing a fund for said purpose, and providing for the acceptance or rejection of the Act by employees.

Which was read the first time by its title and was placed on the local calendar of bills on second reading.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

Mr. Wagg moved that the further consideration of the message together with the Bills contained therein be informally passed over.

Which was agreed to.

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., April 11, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

Senate Concurrent Resolution No. 4:

A Resolution granting the use of the Senate Chamber and the Hall of Representatives, and Legislative Committee Rooms in the State Capitol if needed, for use of the Masonic Grand Lodge of Florida during its centennial session in Tallahassee in April, 1930.

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 4, contained in the above message, was read and referred to the Committee on Enrolled Bills.

BILLS AND JOINT RESOLUTIONS ON THE THIRD READING

By Senator Gary—
Senate Bill No. 29:

A bill to be entitled An Act granting Pension to Mrs. Adam L. Eichelberger.

Was taken up in its order and read the third time in full.

Upon the passage of Senate Bill No. 29 the roll was called and the vote was:

Yeas—Mr. President, Senators Adams, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Howell, Irby, Johns, King, Knabb, McCall, Mitchell, Neel, Phillips, Putnam, Singletary, Stewart, Swearingen, Taylor, Turner, Watson, Waybright, Welsh—28.

Nays—Anderson, Rowe, Scales, Turnbull—4.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Mr. Wagg moved to waive the rules and revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

And the Message which was informally passed over was taken up and read as follows:

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., April 11, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. McKenzie, Chairman of Committee on Finance and Taxation—

House Bill No. 112:

A bill to be entitled An Act providing that all county tax collectors in the State of Florida shall keep the tax books open for the collection of taxes until June 1, 1929.

Also—

By Mr. Chadwick of St. Johns—
House Bill No. 99:

A bill to be entitled An Act providing a pension for the members of the fire department of the City of St. Augustine, who shall become permanently incapacitated to perform their duties in said department, or who have served for a number of years; and for other relief, and for relief of certain persons dependent upon them for support and providing a fund for said purpose, and providing for the acceptance or rejection of the Act by employees.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
FRANK WEBB, Chief Clerk,
House of Representatives.

House Bill No. 112, contained in the above message, was read the first time.

Mr. Wagg moved that the rules be waived and that House Bill No. 112 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 112, with title above stated, was read the second time by its title only.

Mr. Wagg moved that the rules be further waived and that House Bill No. 112 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 112, with title above stated was read the third time in full.

Upon call of the roll on the passage of the bill, the vote was:
Yeas—Mr. President, Senators Anderson, Caro, Council, Dell, Gary, Glynn, Harrison, Hodges, Howell, Irby, Johns, King, Knabb, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Welsh, Young—30.

Nays—Senators Futch, Hinely, Scales—3.

So the Bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Senator Wagg moved that the House of Representatives be requested to return Senate Bill No. 88:

Which was agreed to.

And the Secretary was directed to certify the request to the House of Representatives.

Consideration of the foregoing House Message was resumed and House Bill No. 99, contained therein, was taken up and read the first time by its title and placed upon the Calendar of Local Bills on second reading without reference.

The Senate resumed the consideration of Senate Bills on Third Reading:

By Senator Johns—
Senate Bill No. 57:

A bill to be entitled An Act to amend Section 6588 Compiled General Laws of Florida, relating to corporations.

Was taken up and read the third time in full.

Pending the passage of the bill, Mr. Futch moved to waive the rules and recommit the bill to the Committee on Corporations.

Which was agreed to by a two-thirds vote and the bill was recommitted.

By unanimous consent the Senate took up the consideration of the Local Calendar.

And—

Senate Bill No. 92:

A bill to be entitled An Act to authorize and empower the Town of Perry, Florida, a Municipal Corporation, to acquire, improve, equip, maintain and operate land for airports, and to sell or lease the same.

Was taken up in its order and read the second time in full.

Mr. Scales moved that the rule be further waived, and that Senate Bill No. 92 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 92 was read the third time in full.

Upon the passage of the bill, the roll was called and the vote was:

Yeas—Mr. President, Senators Adams, Anderson, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

House Bill No. 3:

A bill to be entitled An Act to amend sections 10 and 20 of Chapter 12,760 of the Laws of Florida, of the year A. D. 1927, relating to the Municipal Government of the City of Gainesville, Florida.

Was taken up in its order and by unanimous consent the further consideration was temporarily passed over.

Mr. Scales moved that the Senate do now proceed to the consideration of Executive communications.

Which was agreed to and at 12 o'clock noon the Senate went into Executive Session.

The Senate emerged from Executive Session at 12:26 o'clock P. M., and resumed its regular session.

The roll was called and the following Senators answered to their names:

Mr. President—Senators Adams, Anderson, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—37.

A quorum present.

Mr. Putnam moved that the Senate do now adjourn.

Which was agreed to.

Thereupon, the Senate stood adjourned at 12:28 o'clock P. M., until Friday, April 12, 1929.